



City of Seattle

Gregory J. Nickels, Mayor

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**Department of Planning and Development**

Diane M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2308319  
Applicant Name: John Hastings  
Address of Proposal: 12036 8<sup>th</sup> Av NE

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into three parcels of land. Proposed parcel sizes are: A) 7,490 square feet, B) 7,203 square feet; and C) 7,690 square feet. Existing structures to remain.

The following approval is required:

Short Subdivision – to create three parcels of land.  
(SMC Chapter 23.24)

**BACKGROUND DATA**

Zoning: Single Family 7200

Date of Site Visit: January 29, 2004

Uses on Site: Two single family homes, accessory structures and vacant land.

Substantive Site Characteristics: The site is generally flat and developed with homes, accessory buildings and residential open space. There are a number of large trees located on the subject site.

Public Comment

Four public comment letters were received during the comment period which ended on February 11, 2004. One letter included the signatures of 28 people in the neighborhood. The comments expressed concerns about the density, aesthetics of the new homes, loss of trees, high property taxes, reduction in property value, and possible adverse possession claims and/or minor encroachments on the subject property from neighboring buildings and improvements.

**ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD Drainage Review, Water (Seattle Public Utilities), Fire Department (SFD), Seattle City Light, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions of the set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable.

The proposed plat maximizes the retention of existing trees in that only four trees will likely be removed with the development of the Parcel C. Trees on Parcel A and Parcel B will not be removed as a result of this subdivision in that the existing homes are to remain. Two large trees on Parcel C are likely to be retained, a 20 inch diameter Western White Pine and a 42 inch diameter Douglas fir. The four trees likely to be removed consist of a 17 and 30 inch Douglas Fir (*Pseudotsuga Menziesii*), a 20 inch Western White Pine (*Pinus Monticola*) and a 6 inch Holly (*Ilex*). The 30 inch Douglas fir tree will be replaced with one or more trees that upon maturity will replicate the canopy provided by the 30 inch Douglas fir pursuant to SMC 25.11.090. The size and species of the tree will be determined by DPD at the time of development. Additionally, the tree protection regulations allow, in order to protect trees over two feet in diameter, that development may encroach into the front or rear yards pursuant to SMC 25.11.060.

The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED.**

### **CONDITIONS - SHORT SUBDIVISION**

#### **Conditions of Approval Prior to Recording**

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval, and any necessary fees.
3. Insert the following on the face of the plat: "Any tree removal or replacement is subject to the requirements of Seattle Municipal Code 23.44.008 and the Tree Protection Regulations in Seattle Municipal Code 25.11."
4. Insert the following on the face of the plat: "To maximize the retention of trees, four trees are likely to be removed as noted with the development of Parcel C. All other trees are likely to remain."

5. A no-protest agreement for future improvements to 8<sup>th</sup> Avenue NE shall be signed and recorded with the King County Department of Records and Elections.

After Recording and Prior to Issuance of Any Building Permits

The owner(s) and/or responsible party(s) shall:

1. Attach a copy of the recorded short subdivision to all copies of future building permit application plans.

Signature: \_\_\_\_\_ (signature on file) Date: April 1, 2004  
Jess E. Harris, AICP, Land Use Planner  
Department of Planning and Development

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